IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
FIRST APPEAL NO.1931 OF 2003

Union of India and Another ...Appellants

vs.

Anand S/o. Vasant Turile & anr. ...Respondents

Mr.G.Hariharan with Mr.N.R.Prajapati i/b Mr.T.C.Kaushik for the Appellants
Mr.Sudhir Hardikar for Respondent No.1.

CORAM: A.S.OKA,J.
DATE : FEBRUARY 14,2007.

P.C.:

1. The learned Counsel for the Appellants seeks time. Perusal of the Farad Sheet shows that on 3rd December 2004, the learned Government Pleader made a statement that papers of the Appeal will have to be transferred to the Counsel from the Panel of Union of India. When the Appeal appeared on board on 22nd December 2004 for admission, the learned A.G.P. made a statement that papers of the case were transferred to Union of India. Therefore, this Court granted discharge to the learned A.G.P.

2. In this Appeal, the challenge is to the Judgment and Award dated 16th February 1988 passed by the Motor Accident Claims Tribunal, Pune. The Claim Petition is of the year 1988 arising out of the accident which has taken place in the year 1987. The amount awarded is only in the sum of Rs.50,000/-.

3. The Counsel for the Appellant seeks adjournment. Office noting shows that the Advocate on record for the Appellant has not even filed Vakalatnama. The Government Pleader has been discharged by this court on 22nd December 2004. With a view to protect the interest of the Appellant, a suggestion is given to the Counsel for the Appellant that the Appeal can be heard for admission in the afternoon session. However, he expressed his inability to argue the Appeal in the afternoon session.

4. Considering the facts which are narrated above, adjournment cannot be granted. Appeal is dismissed for non prosecution with no order as to costs.

JUDGE